

RUSSIAN PATENT
AND TRADEMARK AGENCY
(ROSPATENT)

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OF INDUSTRIAL PROPERTY**

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ARS-PATENT ADDRESS

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(21) Our ref.: 2000126479/09 (028483)

*When corresponding please refer to the application number
and report the date of receipt of this communication*

INQUIRY

(21) Application no.: 2000126479/09 (028483)

(22) Filing date: 15.04.1999

(86) Application no.: PCT/NL99/00220 of 15.04.1999 (96) Eurasian Application no.

(71) Applicant(s): VHP Veiligheidspapierfabriek Utrecht B.V.

(51) IPC 7 Index: G06K19/02; 19/077; H01L51/00 (51) ICID

To enable further examination of the application, the Examiner invites the Applicant to submit materials, documents and information in respect to the questions set forth in the Inquiry, and his/her opinion as to the Examiner's arguments, comments, suggestions.

The response to the Inquiry is due within the period established by Art. 21(8) of the Russian Federation Patent Law in force. On the Applicant's request received before expiration of said period, it may be extended provided that a proof payment of the patent fee according to the established order is submitted.

In case no response to the Inquiry or extension request is received during said period, the application will be considered withdrawn.

QUESTIONS, ARGUMENTS, COMMENTS, SUGGESTIONS

In a reply submitted to the Institute (ARS*: Federal Institute of Industrial Property) on 18.07.2003 the Applicant has carried out a comparative analysis of the informational sources cited by the Examiner and stated that the prior art does not comprise the distinguishing features of the subject matter defined in claim 1, namely, "a flexible integrated circuit comprising a semiconductive organic polymer".

(see overleaf)

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The Applicant also submitted a copy of the requested materials and provided an additional analysis of the information contained therein.

On the base of said analysis the Applicant has decided that the subject matter of claim 1 may comply with the patentability requirement named "inventive step".

The same conclusion has been made on the subject matter of claims 14, 15 and 16. The Applicant further has noted that the cited prior art could not suggest combining an integrated circuit and a security thread in the same device.

The Applicant has clarified the issues in respect to the subject matter of claim 17.

With reference to corresponding pages of the description, the Applicant submitted the amended claims.

An analysis of the additional materials carried out in accordance with p. 20 of the Rules for Drafting, Filing and Examination of Patent Applications (hereinafter the Rules), as in force, has shown that the amended claims may comply with the provisions set force in said point of the Rules. A further examination as to substance is being carried out for the group of inventions defined in those claims.

The arguments of the Applicant in respect to the subject matter of claim 16 shall be considered convincing, and the matter claimed in claim 16 shall be recognized patentable.

As to the subject matter of claim 1 and the arguments and clarifications submitted by the Applicant, the Examiner has carried out an additional prior art search so as to determine whether the distinguishing features of the invention are known from the art, and should inform the Applicant of the following.

As it was said in the previous Inquiry, from DE 19691358 A1, G06K19/07, published on 25.07.1996, which document is mentioned in the materials of the application, the Applicant should know a substrate which is made from paper and is intended for use in manufacturing securities and documents having security components. Serving as the security components, an integrated circuit (IC) of conventional "stiff" structure is embedded in the known substrate.

The features that distinguish the claimed subject matter from the known solution are directed at providing a flexible substrate, and are formulated as "the integrated circuit is flexible and comprises a semiconductive organic polymer".

Hence, the distinguishing features does not define a certain construction of the integrated circuit, but in essence indicate its property (flexible circuit) and the material contained in the integrated circuit, "semiconductive organic polymer".

However, the prior art, in particular, Brown et al, Science, 270, pp. 972-974, 1995, the Applicant indicated, teaches integrated circuits comprising a semiconductive organic polymer.

Besides, as a result of the additional search it is determined that the prior art comprises a solution to the problem of providing an integrated module to be embedded in biosensors, wherein the technical effect consisting in providing a flexible integrated module manufactured with the use of an organic polymer is achieved (see RU 2049365 C1, H01L27/91, published on 27.11.1995, 23 sheets, see pages 1, 5 of the description).

It should be noted that being discussed in the claimed invention is the flexibility of an integrated module in the form of the integrated circuit disposed on a support (page 2 of the Applicant's reply, lines 7 to 9 from the bottom).

Hence, the subject matter of claim 1 may not be recognized to involve an inventive step, because it consists in providing the means, substrate for securities having security components, which is composed of known parts, paper and a suitable integrated circuit (module) embedded therein, wherein the technical effect, flexibility of the substrate, is conditioned by known properties of the selected parts, namely, generally known flexibility of paper and flexibility of the employed integrated circuit comprising a semiconductive organic polymer.

In view of the aforesaid, the conclusion about the subject matter of claims 14, 15 made in the previous Inquiry should remain in force.

As to claim 17, the Applicant amended this claim by identifying the field of application of the claimed subject matter, namely, "an optically active element used as a security feature of security documents". However, said identification may not change the situation where the possibility of realizing the indicated purpose once the invention is implemented in practice is concerned.

Indeed, as it was said before, features employed in this claim for definition of the subject matter are the features of the contact readable flexible integrated circuit comprising semiconductive organic polymer.

Because the claims lack any features that could endue the integrated circuit and its contacts with properties of the optically active element (see page 5 of the description), the invention, if implemented as defined in this claim, would result in the corresponding integrated circuit with its inherent properties. Said circuit will not possess new properties that could enable it to function as an optically active element. Hence, the indicated purpose cannot be realized if the invention defined by the entirety of features of claim 17 is implemented in practice.

Therefore, the subject matter of claim 17 may not comply with the patentability requirement named "industrial applicability", pursuant to p. 19.5.1(2) and 19.5.1(3) of the Rules.

In view of the aforesaid, and on the basis of p.19.6 of the Rules, the present Inquiry is being forwarded to the Applicant who is invited to study the arguments contained therein, which arguments resulted from the examination of patentability of the claimed group of inventions.

The Applicant is invited to express his/her opinion whether or not it is appropriate to further examine the application. In the affirmative, amended claims shall be submitted.

The Examiner reminds the Applicant that the provisions of Art.21(2), (8) of the Russian Federation Patent Law shall be observed when amending the claims. In accordance with said provisions, additional materials shall not contain any features that are subject to inclusion into the claims, but are not in the original materials of the application.

If the Applicant has failed to submit the requested materials or an extension request within the set term, the application will go abandoned on the basis of Art. 21(8) of the Russian Federation Patent Law.

The application will be further examined as to substance upon receipt of a reply from the Applicant within the set term.

**Chief State Patent Examiner
of the Electro-Radio Technique Department** N.N. Markelova

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For the Applicant's notice

- 1. When requesting copies of the cited references it is necessary to submit a proof of payment for the services involved in providing the asked number of pages indicated in the inquiry, according to the following current rates:*

- non-patent literature **12 rubles** **per 1 page**
- pat nt lit rature **3 rubles** **per 1 page**